Sw cancel Contest form 2-2-06 pda

## STATE OF NEBRASKA DEPARTMENT OF NATURAL RESOURCES

Water	Appropriation	A
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## CONTEST OF PRELIMINARY DETERMINATION OF NONUSE

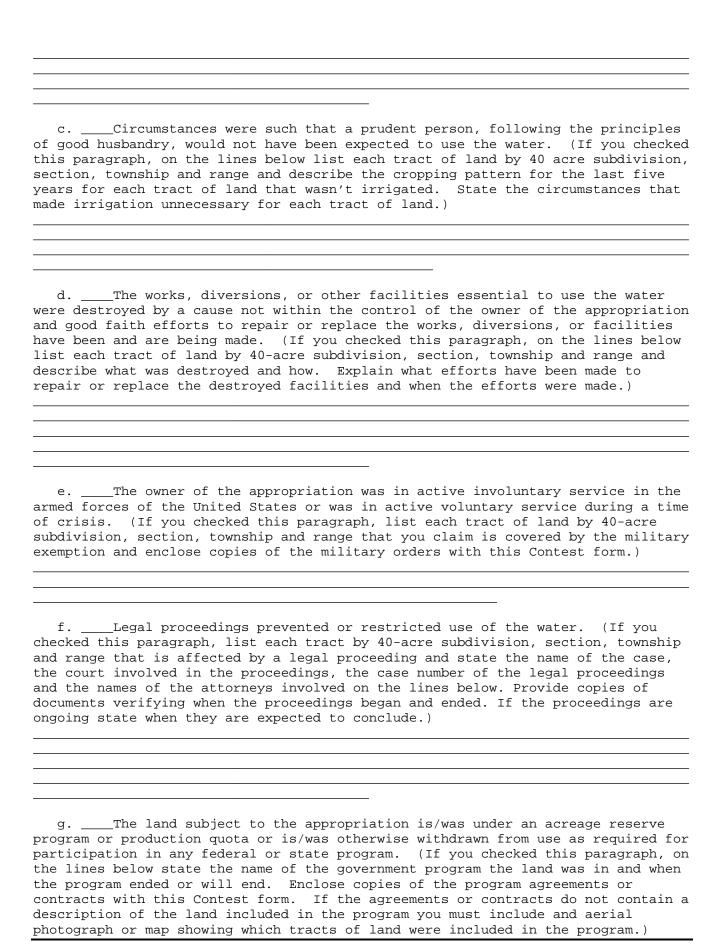
Instructions: a. Each person contesting the Department of Natural Resources' preliminary determination of nonuse must fill out a separate Contest form unless the persons are owners in joint tenancy of the land. All joint tenants may sign the same Contest form.

- b. The Contest form must be filled out completely.
- c. If you are contesting only a portion of the preliminary determination then you must also sign the enclosed affirmation of cancellation of the uncontested portion of the preliminary determination.
- d. If you have an interest in more than one appropriation that the Department has made a preliminary determination of nonuse on you must fill out a separate Contest form for each appropriation.
- e. If you have aerial photographs of the land that is irrigated by the appropriation being contested please identify the various tracts on the photographs and include the photographs with the Contest form.

1. Give the name and address of the person submitting this Contest form.
2. Give the legal description of all lands included under this appropriation that you own or for which you are the appropriator.
3. If you admit that you haven't irrigated the land or a portion of the land described in paragraph 3 of the Department's Notice of Preliminary Determination of Nonuse for surface water appropriation A but claim you have legally sufficient cause for not using the water, check the appropriate paragraph(s) below and provide the information requested.
aFederal, state, or local laws, rules, or regulations temporarily prevented or restricted use of the water. (If you checked this paragraph, list each tract of land by 40-acre subdivision, section, township and range that was affected and write down the specific laws, rules or regulations that prevented the use of the appropriation on that tract. Describe how the laws, rules or regulations affected your use of water on each tract.)
bUse of the water was unnecessary because of climatic conditions. (If you checked this paragraph, you must include with the Contest form all the National Weather Service data from weather stations near each tract of land that shows that there was sufficient rain during the last five years and irrigation was not necessary. On the lines below, list each tract of land by 40-acre subdivision, section, township and range and state how the National Weather

Service data applies to each tract of land not irrigated. Also describe the

cropping pattern for each tract of land for the last five years.)



hThe available water supply was used, but on only part of the land under the appropriation, because of an inadequate water supply. (If you checked this paragraph, on the lines below state how much water was used, when it was used, when the supply was inadequate and list each tract of land by 40-acre subdivision, section, township and range that water was applied to and each tract that did not receive water. Enclose any relevant information you have with this Contest form.
iThere was an inadequate water supply. (If you checked this paragraph, on the lines below state why the water supply was inadequate. Enclose any relevant information you have concerning the last use of the water including the date of last use, the amount used, the 40-acre subdivision, section, township and range each tract of land that was irrigated, and the reason for the inadequacy of the water supply. Include any relevant information you may have with this Contest form.)
4. If you have irrigated the land within the last five years, on the lines below, list each tract of land by 40-acre subdivision, section, township and range that was irrigated, give the dates each tract was irrigated, and how much water was applied. Give the names and addresses of any person who witnessed the irrigation Describe any other evidence of water use you may have.
5. If you have reasons for not using the water authorized by appropriation A other than those reasons specified in Paragraph 3 or have any information relevant to this contest please list them below.
The undersigned hereby swears that the information provided above, including all documents enclosed with the Contest form are true and accurate to the best of my knowledge and belief.

Name		Date
STATE OF NEBRASKA	)	
COUNTY OF	)	
On	, before me	, a notary public,
personally came being duly sworn, affirm		_ as owner of the land described herein, and crue and accurate.
IN WITNESS	WHEREOF, I have	hereunto set my hand and official seal at
		County, Nebraska, this day
of	· · · · · · · · · · · · · · · · · · ·	
		Notary Public